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**REMARKS**

Claims 1-19 remain pending in the application including independent claims 1 and 13. New dependent claims 20-21 have been added. Claims 5, 6, 14, and 15 are indicated as allowable if rewritten in independent form.

The amendments to claims 1, 3-5, and 7-19 are not related to any objections or rejections set forth in the subject official action. These claims have been amended to provide consistent terminology throughout the claims and to provide proper antecedent basis.

The amendments to the specification are also not related to any objections or rejections set forth in the subject official action. The abstract has been amended in response to the objection set forth in the subject official action. The abstract has also been additionally amended to provide consistent terminology.

The drawings stand objected to for not showing a cable as recited in claims 9 and 17. Claims 9 and 17 affirmatively recite a nipple holder that is adapted to receive a cable. The cable itself is not affirmatively recited and thus is not required to be shown in the figures. Applicant asserts that no revisions to the drawings are required and applicant respectfully requests that the objection to the drawings be withdrawn.

Claims 9 and 17 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite. Claims 9 and 17 affirmatively recite a nipple holder that is adapted to receive a cable that moves the carriage along the rail. The examiner has identified component 40 as the nipple, however, component 40, shown in Figure 2 and described at paragraph [28], is a nipple holder, not the nipple itself. As explained at paragraph [28], the cable extends through the nipple holder

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40, and a nipple mounted on the cable can be fixed between the upper and the lower walls of the nipple holder 40.

Thus, nipple holder 40 is designed to accommodate a nipple of a drive cable that is used for moving the carriage along the rail as known. Neither the nipple nor the cable is affirmatively recited in claims 9 and 17. Further, no additional description is required to explain how the nipple or cable operates because one of ordinary skill in the art would clearly understand this well-known configuration. The nipple holder itself can be attached to the base part 10 by any type of attachment interface. Thus, applicant asserts that claims 9 and 17 are definite and requests that the rejection of claims 9 and 17 based on 35 U.S.C. 112, second paragraph, be withdrawn.

Claims 1-4, 7-10, 13, 16, and 17 stand rejected under 35 U.S.C. 102(b) as being anticipated by Lange (DE 19650265). Claim 1 includes the feature of an arresting mechanism that secures a clamping part on a base part in at least two positions where each of the at least two positions corresponds to a different mounting orientation. Lange does not disclose this feature.

The examiner argues that Lange discloses a carriage for a window lifter including a base part 20 movably mounted to a rail 1, a clamping part 9b swivelly mounted on the base part 20, and an arresting mechanism (fastener/clamping bolt, ridge/tab 90a and recess 96). Applicant disagrees with this interpretation of Lange.

Lange discloses a profiled guide 1 with two clamping parts 10a, 10b that are positioned on one side of window pane 7. Each of the clamping parts 10a, 10b has a corresponding clamping jaw 2 positioned on an opposite side of the window pane 7. A sliding piece 9, which is attached to the profiled guide 1, grips around a rail 8.

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First, the examiner argues that component 1 in Lange corresponds to applicant's claimed rail. Component 1 in Lange is clearly not a rail. Component 8 is clearly the rail in Lange (see Abstract). Component 1 is a profiled guide 1 that is part of the carriage that clamps the window pane 7.

While it is well settled that the terms in a claim are to be given their broadest reasonable interpretation, this interpretation must be consistent with the specification, with claim language being read in light of the specification as it would be interpreted by one of ordinary skill in the art. In re Bond, 15 USPQ2d 1566, 1567 (Fed. Cir. 1990). Here, the examiner has improperly expanded the meaning to be given to the claim term "rail." Applicant's rails 42, 44 are clearly shown in Figures 3 and 4 and are described in the accompanying specification. One of ordinary skill in the art simply would not consider profiled guide 1 of Lange as corresponding to the claimed rail, especially as Lange clearly identifies component 8 as the rail.

Second, the component that the examiner identifies as "a base part," i.e. component 20, does not satisfy the claim language set forth in claim 1. Claim 1 defines the base part as being movably mountable on a rail. Component 20 is not movably mounted to rail 8. Instead, component 20, which is part of clamping jaw 2, is mounted on the profiled guide 1. Thus, component 20 is not movably mounted on the rail 8.

Third, the component that the examiner identifies as "a clamping part," i.e. component 9b, does not satisfy the claim language set forth in claim 1. Claim 1 defines the clamping part as being mounted on the base part, wherein the base part and the clamping part accommodate a vehicle pane therebetween. Component 9b is not mounted to the examiner's base part 20. Component 9b is mounted to component 9a. Further, the examiner's clamping part 9b does not

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clamp the window as defined in claim 1. As shown in Figure 3 of Lange, the window pane 7 is clamped between a rubber insert 3 between clamping jaw 2 and component 9a.

The examiner also argues that clamping part 9b is swivelly mounted on base part 20. Again, applicant disagrees with this interpretation of Lange. As explained above, component 9b is not mounted to component 20, but is instead mounted to component 9a with a plurality of rivets extending through openings 90a, 90b, and 98 (see Figure 3). As component 9b is attached to component 9a at two attachment points that are spaced apart from each other, it is clear that component 9b is not capable of any type of swiveling movement.

Finally, the examiner argues that Lange discloses an arresting mechanism that secures a clamping part on a base part in at least two positions where each of the at least two positions corresponds to a different mounting orientation. Lange clearly does not disclose or teach such a feature. Rather, Lange discloses a clamping jaw 2 that is mounted to component 9a. The clamping jaw 2 cannot be mounted to component 9a in multiple positions. The clamping jaw 2 can only be mounted to component 9a in a single position. This single position is defined by nose portion 21 (see Figure 3) that fits into an opening (not visible in Figure 3) on component 9a.

Thus, for the many reasons set forth above, Lange does not anticipate claim 1. For similar reasons Lange does not anticipate claim 13.

With regard to claims 9 and 17, the examiner argues that Lange discloses a nipple holder 12a or 12b. Applicant disagrees. Elements 12a, 12b are sliding elements that are arranged between the carriage and the rail 8. These elements are clearly not nipple holders that are adapted to receive a nipple on a drive cable. Further, Lange discloses a window regulator in which the carriage is displaced by cross-bars 6a, 6b so that no driving cables are required. As

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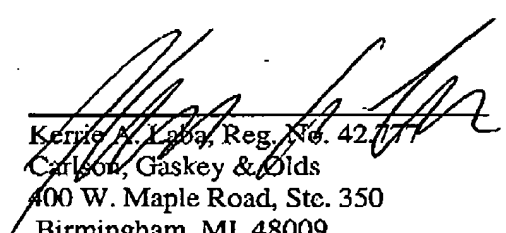
driving cables are not required, it follows that Lange would not include any type of structure that would be adapted to receive a drive cable. Thus, Lange cannot anticipate claims 9 or 17.

Applicant asserts that the rejections of claims 1-4, 7-10, 13, 16, and 17 under 35 U.S.C. 102(b) as being anticipated by Lange is improper and respectfully requests that the rejection be withdrawn.

Claims 11, 12, and 18 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lange in view of Shibunushi (US 5987820). For the reasons set forth above, Lange does not disclose, suggest, or teach the features of the claimed invention. Shibunushi does not make up for the deficiencies of Lange.

Applicant asserts that all claims are in condition for allowance and respectfully requests an indication of such. The Commissioner is authorized to charge Deposit Account No. 50-1482 for the fee for one additional dependent claim in the name of Carlson, Gaskey & Olds. Applicant believes that no additional fees are required, however, any additional fees or credits may be charged or applied to Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds.

Respectfully submitted,



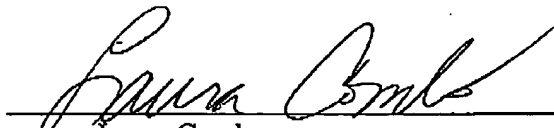
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CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on February 24, 2005.

  
Laura Combs